Transformation of the Mormon Hierarchy at Far West, Missouri

William Shepard

Summary

THIS ARTICLE IS an overview of the Mormon response to internal dissent during the Mormon period of settlement in northern Missouri, essentially reshaping the Mormon hierarchy.[1] The process of reigning in dissenters began in 1837 when the Missouri High Council, the bishopric and apostles Thomas B. Marsh and David W. Patten demanded that the acting Missouri presidency, William W. Phelps and John Whitmer, make concessions and become subordinate to them. The year 1838 opened with hierarchal leaders, now out of favor with the institutional church, clinging to their membership at Far West. Their chief antagonist, Thomas Marsh, president of the Quorum of Twelve Apostles, chose to act as the agent of Joseph Smith in leading the attack on these men, who had sacrificed mightily to sustain the developing church. In the process, Oliver Cowdery, David and John Whitmer, W. W. Phelps, and apostle Lyman E. Johnson would be excommunicated in sensational trials in less than four months.

In one of the great ironies of Mormon History, Thomas Marsh, who had enthusiastically spearheaded Joseph Smith's agenda of eliminating dissent at Far West, came to the conclusion that a militaristic spirit was threatening the church's legitimacy. His pacifist views made him out of step with Joseph Smith and Sidney Rigdon as the Mormons prepared to confront enemy forces—he was essentially becoming a dissenter. Marsh's breaking point came when he witnessed Mormon brethren participating in the destruction of the gentile hamlets of Gallatin and Millport in Daviess County on October 18. He determined he would no longer be a Mormon. Within a week he signed an affidavit at Richmond, Missouri, in which he described Mormons stealing and burning property of the Missourians. He also explained why he believed Joseph Smith had become a megalomaniac. These disclosures intensified conflict be-

1. The author thanks Joe Geisner for reading the manuscript and making suggestions.

tween the Mormons and non-Mormons and caused him to become a pariah within the Latter Day Saint community.

One day following his affidavit, October 25, apostle David W. Patten was killed at the Battle of Crooked River, and Brigham Young became the president of the quorum of apostles.

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In some ways there were two Mormon churches in 1837—one at Kirtland, Ohio, the other at Far West, Missouri. The eight hundred mile separation necessitated two presidencies. David Whitmer was president over the northern Missouri Mormons, but he remained at Kirtland during much of the formative period. John Whitmer and William W. Phelps, his assistants, presided in his absence. In theory, they should have shared their ruling jurisdiction with the high council and cooperated with the bishopric.[2] The two came under fire for using money donated by the members to purchase land in their own names and reselling it to the members. The fact that they retained a small part infuriated many. Historian Leland H. Gentry explained that "such actions, so completely at variance with the spirit of the Law of Consecration, brought immediate protest from several quarters. Inasmuch as the two men were merely agents of the church, it was never contemplated that they would use their positions for personal advantage."[3]

It was a strange situation at Far West in early 1837. The acting stake presidents, who were also presidents of the high council, were conducting business independently of their counselors and apparently without sufficient consultation with bishop Edward Partridge. Added to this, Thomas Marsh and Elisha Groves returned to Far West with $1,450 raised during a recent mission to Kentucky and Tennessee "to assist the destitute saints." Marsh would have been vitally interested in how the money was spent.[4]

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2. See organization of the high council in Clay County, Missouri on July 3, 1834, with David Whitmer designated as "first president" and William W. Phelps and John Whitmer were designated "assistants" or counselors. They, in turn, would have shared their authority with twelve high priests who were collectively designated the high council. Donald Q Cannon and Lyndon W. Cook, eds., *Far West Record: Minutes of The Church of Jesus Christ of Latter-day Saints, 1830–1844* (Salt Lake City: Deseret Book, 1983), 70.

3. Leland Homer Gentry, "A History of the Latter-day Saints in Northern Missouri from 1836–1839" (PhD diss., Brigham Young University, 1965), 103–4. See discussion in William Shepard and H. Michael Marquardt, *Lost Apostles: Forgotten Members of Mormonism's Original Quorum of Twelve* (Salt Lake City: Signature Books, 2014), 163.

4. See Thomas Marsh's undated letter to Wilford Woodruff printed in the *Elders' Journal* 1, no. 3 (July 1838): 36–38, which presented his side of the conflict:

> You, undoubtedly remember the visit which I with Elder Groves, made to the churches in Kentucky and Tennessee, in the summer of 1836. ... We came to solicit assistance, for poor bleeding Zion: And we obtained, through the goodness of the children of God, in those regions, the sum of fourteen hundred and fifty dollars, which was delivered unto Wm. W. Phelps and John Whitmer, on our arrival at this place.

Battle lines were drawn on April 3, 1837, when the high council composed nine grievances in the form of questions. Number nine, the most serious, stated, "Are the two Presidents entitled to the profits arising from the sale of lands on which the City is to be built in this place." Number one asked "what authority" justified Phelps and Whitmer to lay-out "this place" [Far West] ... for a city and house of the Lord." The council agreed to have the presidents appear before them and to have the bishop and his counselors as well as apostles Marsh and Patten in attendance.[5]

High-pressure meetings were held at Far West on April 5 and 6, pitting seven high counselors, two apostles, and the bishopric against the stressed acting presidency. The futility of the latters' position was signaled when Phelps attempted to eject the bishopric and apostles from the meeting. Marsh responded, "he would prefer a charge against the two Presidents, before the Bishop & 12 High Priests" if this were attempted. Phelps and Whitmer had no choice but to turn over the town plot to their accusers for disposition and subscribed $1,000 each "to the house of the Lord to be builded in this place."[6] This showdown did not resolve all differences but was a harbinger of future accusations, trials, and expulsions.

As Thomas Marsh and David Patten were preparing for their Journey to Kirtland in early June 1837 to restore harmony among the apostles, Joseph Smith reported receiving a revelation which opened the apostolic ministry to England. By the time Marsh and Patten reached Kirtland in the third week of July, apostles Heber C. Kimball and Orson Hyde were conducting meetings at Preston, England. Smith had not informed Marsh of this breach in protocol. A physical confrontation occurred when Patten confronted Smith,[7] but Marsh quickly resumed his role as a loyal subordinate, influencing quorum members to acknowledge their faults and resume church activities. As a confidant to the beleaguered prophet, he published the *Elders' Journal*, missionized with him in Canada, and lived in his home.[8]

On September 3, 1837, Joseph Smith and key hierarchal supporters were firmly sustained in their priesthood offices and jurisdiction by a meeting in the temple.

> But these men, instead of laying out the money for the benefit of poor bleeding Zion, purchased land for their own emolument. They generally did their business, independently of the aid, or counsel of either the Bishop, or High Council. This gave some uneasiness to the two authorities of Zion [Far West] not only because they [Phelps and Whitmer] purchased land with church funds, in their own name, for their own aggrandizement, but because they selected the place for the city Far West and appointed the spot for the house of the Lord to be built on, drew the plan of said house, and appointed and ordained a committee to build the same, without asking or seeking counsel, at the hand of either Bishop, High Council, or first Presidency.

5. Cannon and Cook, *Far West Record*, 107–8.

6. Ibid., 107–10.

7. According to Wilford Woodruff, Patten insulted Joseph Smith who slapped and kicked him. Brigham Young reportedly said, "This done David good." See Scott G. Kenney, ed., *Wilford Woodruff's Journal: 1833–1889*, Typescript, 9 vols. (Midvale, UT: Signature Books, 1983–83), 5:63.

8. See Shepard and Marquardt, *Lost Apostles*, 144–46.

Vicinity of Far West, Missouri, in 1838. Map courtesy of John Hamer.

Conversely, the march toward a breakup of the Kirtland church continued as dissenting officers were not sustained. The following day Smith wrote a dramatic letter, which he entrusted to Thomas Marsh to deliver to church officials at Far West. It informed the Missouri brethren, "Oliver Cowdery has been in transgression," and if he did not become humble and work within the system, "the Church will soon be under the necessity of raising their hands against him." David Whitmer[9] was also

9. David openly opposed elements of the Mormons' venture into banking with an unchartered institution. See H. Michael Marquardt, "David Whitmer: His Evolving Beliefs and Recollections," in *Scattering of the Saints: Schism Within Mormonism* ed. Newell G. Bringhurst and John C. Hamer (Independence, MO: John Whitmer Books, 2007), 48. Whitmer was one of five dissenters charged by loyalists Able Lamb, Nathan Haskins, Harlow Redfield, Artemas Millet and Isaac Robers with pursuing a "course for some time past [which has been injurious

said to "have been in transgression," and the letter specified he could not "retain his standing" unless he humbled himself and made satisfaction.[10]

Included with the letter was a "revelatory" document which condemned William Phelps and John Whitmer. Labeled in the *History of the Church* as, "Revelation given at Kirtland, Ohio, September 4, 1837, making known the transgression of John Whitmer and William W. Phelps," it said: "Verily thus saith the Lord unto you my servant Joseph—my servants John Whitmer and William W. Phelps have done those things which are not pleasing in my sight, therefore if they repent not they shall be removed out of their places. Amen."[11]

By late September 1837, Joseph Smith continued to function in crisis mode as dissent hardened and the Kirtland Stake edged nearer to total chaos. However, he felt compelled to make a short visit to Far West. The *History of the Church* credited the trip to establishing "places of gathering for the Saints."[12] It is also likely that Joseph was making a good faith effort to prevent a permanent rupture with those dissenters now residing in the greater Far West area. This included Oliver Cowdery, David and John Whitmer, William E. McLellin, William Phelps, and Lyman E. Johnson. Smith, Sidney Rigdon, and several hierarchal members arrived at Far West about the first of November.

On the 6th a meeting was conducted to "consider some of the affairs of said church." Attendees who would be considered "dissenters" included the Missouri presidency, Oliver Cowdery, Lyman Johnson, and William McLellin. Members in the "loyalist camp" included Joseph and Hyrum Smith and Thomas Marsh. According to the *Far West Record*, all issues were resolved "except a matter between J. Smith jr. Oliver Cowdery and T. B. Marsh which was referred to themselves which the agreement that their settlement of the affair should be sufficient for the Council." This, of course referred to the alleged involvement of Joseph Smith and Fanny Alger at Kirtland. The fact that the issue was not resolved at this time meant only that it would fester until dynamically bursting forth the following year.[13]

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to the Church of God in which they are high officers." Whitmer and other dissenters were tried by the high council, chaired by Sidney Rigdon at Kirtland on May 29, 1837. The trial ended in confusion over procedural questions and dissenters among the jury. See Fred C. Collier and William S. Harwell, eds., *Kirtland Council Minute Book* (Salt Lake City: Collier's Publishing Co., 1996), 181–82.

10. Joseph Smith, *History of the Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 2nd ed. rev., 7 vols. (Salt Lake City: Deseret Book, 1963): 2:508–11.

11. Ibid., 2:511

12. Smith, *History of the Church*, 2:518

13. Few issues in Mormon history containing little primary documentation have been examined more thoroughly and speculated upon with more passion then the relationship of Joseph Smith and Fanny Alger. Richard Lyman Bushman explained in *Joseph Smith: Rough Stone Rolling* (New York: Alfred A. Knopf, 2005), 323:

> Alger was fourteen when her family joined the Church in Mayfield, near Kirtland, in 1830. In 1836 after a time as a serving girl in the Smith household, she left Kirtland and soon married. Between these two dates,

The following day a general assembly was held at Far West with Thomas Marsh as moderator and Oliver Cowdery as clerk. Considering the divergent attitudes of the assembled, the conference was remarkable for its absence of emotional outbursts. (At least none were recorded.) Joseph Smith was unanimously confirmed as church president, and Sidney Rigdon received the same unanimous confidence as his counselor. Frederick G. Williams was dropped as a counselor in the presidency and was replaced by Hyrum Smith. Unsurprisingly, Thomas Marsh spoke against David Whitmer, who would be confirmed as Missouri president by almost a unanimous vote after making "satisfaction." Marsh also objected to John Whitmer and William Phelps. John was approved after he made "a few words by way of confession," and Phelps's approval followed after his confession satisfied Marsh and other critics. After the high council was approved, the assembly unanimously confirmed all twelve apostles. This is remarkable in that John Boynton, Lyman and Luke Johnson, and William McLellin had demonstrated varying levels of dissent. Isaac Morley was ordained and sustained as patriarch, and the bishopric was unanimously retained.[14]

Within days of this conference the Joseph Smith party left Far West to find a chaotic situation upon arrival at Kirtland on December 10. Luke Johnson and John Boynton were aligned with the dissenters, who now went by the name of the "Old Standard." They resolved to punish Joseph Smith and his supporters.[15] Brigham Young fled Kirtland on December 22, and Joseph Smith and Sidney Rigdon did the same three weeks after their arrival.[16]

The New Year began in northern Missouri with Thomas Marsh poised to act as Joseph Smith's surrogate in implementing the September 4, 1837, directive. In this context, David and John Whitmer, William Phelps, and Oliver Cowdery must either repent or be disciplined. Reasons for this group's continued defiance is not fully understood, but it is clear that the conflict between Joseph Smith and Oliver Cowdery relating to Fanny Alger remained unresolved. As Cowdery married a sister of the Whitmers in 1832, family solidarity likely strengthened Cowdery's and David and John Whitmers' will to resist. Adding to this, John Whitmer and William

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perhaps as early as 1831, she and Joseph were reportedly involved, but conflicting accounts make it difficult to establish the facts—much less to understand Joseph's thoughts. Was he a blackguard covering his lusts with religious pretentions or a prophet doggedly adhering to instructions from heaven or something in between?

Historian Todd Compton, in "Fanny Alger Smith Custer: Mormonism's First Plural Wife?," *Journal of Mormon History* 22 no. 1 (Spring 1996): 199–200, credits the Smith–Cowdery estrangement to "Joseph's relationship with Fanny [Alger]."

14. Cannon and Cook, *Far West Record*, 121–23. The *Elders' Journal* of November 1837 published minutes of the General Assembly of the 7th but did not publish events of the preceding day in which the apparent confrontation about Fanny Alger occurred.

15. Shepard and Marquardt, *Lost Apostles*, 153–62.

16. Smith, *History of the Church*, 2:529 and 3:1–2 respectively.

Phelps surely harbored hard feelings against those who had diminished their importance within the Missouri church the previous year, and David Whitmer likely had not forgotten all of the difficulties he had encountered at Kirtland with the church presidency. Circumstances brought about a fatal clash. In retrospect, it was a battle Cowdery and his allies had no chance of winning. Thomas Marsh, on the other hand, had the advantage that he was acting in Smith's name and would use this "authority" with brutal efficiency. Historian Lyndon Cook examined Marsh's behavior in this forthcoming conflict and labeled it "excessive" and not "justified."[17]

The opening gambit occurred at Marsh's home in Far West on Saturday January 20, 1838, with Marsh, Patten, seven high counselors and others in attendance. The record states that they were "grieved at their [John Whitmer and William Phelps] doings." The *Far West Record* did not elaborate on their grievances but said they appointed a committee of three counselors to "determine their feelings and determinations."[18]

On January 26 the results of the investigation were presented at a meeting of the high council, Marsh, Patten, and a few others. The acting Missouri presidency was judged guilty of selling their lands in Jackson County and of drinking tea and coffee. William Phelps was reported as saying they would "not be controlled by an ecclesiastical power or revelation whatever in their temporal concerns." The judges determined, "existing circumstances" mandated they "no longer recognize John Whitmer and William Phelps as presidents of the Missouri stake." Apparently not sure enough of their jurisdiction, they did not attempt to enforce their decision but scheduled a series of meetings instead.[19]

The general assembly held at Far West on February 5 was by far the largest and best recorded. The minutes show that the moderator, Thomas Marsh, imposed his will upon the assembled to find David and John Whitmer and William Phelps guilty. He set the tone by reading Joseph Smith's September 4, 1837, revelation "which made known that John Whitmer and William W. Phelps were in transgression, and if they

17. Lyndon W Cook, "'I Have Sinned against Heaven, and Am Unworthy to Your Confidence, But I Cannot Live without a Reconciliation': Thomas B. Marsh Returns to the Church," *BYU Studies* 20 (Summer 1980): 393–94.

18. Cannon and Cook, *Far West Record*, 135. Marsh and Patten's participation within a stake may not have been technically legal. This is based on Joseph Smith's telling the apostles on May 2, 1835: "The Twelve will have no right to go into Zion or any of its stakes and undertake to regulate the affairs thereof where there is a standing High Council." Collier and Harwell, *Kirtland Council Minute Book*, 112. LDS D&C 107:33 and RLDS 104:12 designate the apostles to be "a traveling presiding high council." See views of William E. McLellin about the illegality of apostles "ruling" in the stakes in Richard S. Van Wagoner, *Sidney Rigdon: A Portrait of Religious Excess* (Salt Lake City: Signature Books, 1994), 385–86n41, and discussion of D. Michael Quinn, in *The Mormon Hierarchy: Origins of Power* (Salt Lake City: Signature Books, 1994), 156–60, about the relationship between the twelve apostles and high council.

19. Cannon and Cook, *Far West Record*, 135–36.

repented not, they should be removed out of their places." The majority favored disciplining the presidency, and a vocal minority objected for a number of reasons. Prior to a vote, Marsh declared the meeting "was according to the directions of Br Joseph." The vote to reject the presidency was "unanimous, excepting eight or ten and this minority only wished them to continue in office a little longer, or untill [*sic*] Joseph Smith jr came up." The presidents were unanimously rejected in meetings held in homes or settlements in the following days.

This stage of the cleansing process was essentially over. A joint meeting of the high council and bishopric on February 10 voted that Oliver Cowdery, William W. Phelps and John Whitmer could no longer sign church licenses and that "Thomas B. Marsh, and David W. Patten be Presidents, pro. tempor. of the Church of Latter Day Saints in Missouri, or until Presidents Joseph Smith jr. and Sidney Rigdon arrives in the Land of Zion."[20]

In response to a February 15, 1838, letter of Thomas Marsh[21] informing him of the ouster of Phelps and Whitmer, Joseph Smith's letter of March 29 praised the actions of "the Judicious High Council" and opinioned "the saints at this time are in union & peace & love prevails through, in a word Heaven smiles upon the saints in Caldwell."[22]

Marsh's letter to Smith on February 15 also documented the importance Smith placed on repudiating Oliver Cowdery's allegation of a sexual relationship between himself and Fanny Alger. Responding to Smith's request, Marsh and George W. Harris sent him statements about Alger, referring to her as "that girl." A response was sent on February 4 but, fearing the first letter did not reach Smith, the February 15, letter was mailed with similar content but in an expanded version. Marsh testified: "This may certify, that I heard O. Cowdery say to Joseph Smith Jr., while at George W. Harris' house in Far West [during Smith's November 1837 visit to Far West], that he (Joseph) never confessed to him, (Oliver) that he was guilty of the crime alledged [*sic*] to him. And O. Cowdery gave me to understand that Joseph Smith Jr. never acknowledged to him, that he never confessed to any one, that he was guilty of the above crime." Harris's further testimony in the letter said he asked Cowdery during Smith's interlude at Far West if the prophet was guilty of sexual improprieties. According to Harris, Cowdery's response, given "either in plain words or implications," was "that it [the allegation] was false." Thomas Marsh concluded his letter, "We are persuaded that none but those who wish your overthrow, will believe them [the ru-

20. Ibid., 137–41.

21. Thomas Marsh to Joseph Smith, *Elders' Journal* 1, no. 3 (July 1838): 45–46.

22. Bushman, *Joseph Smith: Rough Stone Rolling*, 347

mors] and we presume that the above testimonies will be sufficient to stay the tongue of the slanderer."[23]

All of the participants would have been aware of the imminent arrival of Joseph Smith as February drew to a close. The loyalists, however, continued their process of exclusion. On March 10, just four days before Smith's arrival, John Whitmer and William Phelps were excommunicated. Unsurprisingly, the end came with presidents Thomas Marsh and David Patten chairing the high council. The charge was persisting in "unchristian-like conduct." The trial proceeded after Marcellus Cowdery, Oliver's nephew, delivered a letter from David and John Whitmer and William Phelps which signaled their defiance and contempt:

> Far-West, March 10, 1838
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> Sir: It is contrary to the principles of the revelations of Jesus Christ, and his gospel, and the laws of the land, to try a person for an offence, by an illegal tribunal, or by men prejudiced against him or by authority that has given an opinion, or decision before hand or in his absence.
>
> Very Respectfully,
> we have the honor to be,
> David Whitmer, W. W. Phelps, John
> Whitmer:
> Presidents of the Church of Christ in Mo

When Marcellus Cowdery would not recognize the validity of the judging body, fellowship was withdrawn from him.[24]

Joseph Smith accepted the disciplinary actions when he arrived at Far West. Within days he penned "The Political Motto of the Church of Latter-day Saints," which included: "But woe to tyrants, mobs, aristocracy, anarchy, and toryism, and all those who invent or seek out unrighteousness and vexatious law suits, under the pretext and color of law, or office, either religious or political."[25] Historian Mark A.

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23. Thomas Marsh to Joseph Smith, *Elders' Journal* 1, no. 3 (July 1838): 45–46.

24. Cannon and Cook, *Far West Record*, 145–50. The editors of the *Far West Record* cited an Oliver Cowdery letter written on March 10, 1838, at the time of the trial to his brothers Warren and Lyman at Kirtland:

> A day or two since past D and J. Whitmer and W W Phelps were notified by Marsh that a charge had been prepared before the High Council then, and that to day their case would be taken into consideration. Accordingly the following was drawn up, signed & c. And Marcellus is now gone to present it to Marsh in their new fangled council.... Whether this little document will cause those hotheaded men to consider their ways I know not. I suppose however they will plead Smith's instructions and justify themselves in trying Presidents of the church before a rabble and call it legal. Be this as it may, when it becomes us to speak we shall probably be heard. (130n15)

25. Smith, *History of the Church*, 3:9.

Scherer said this was a determination "not to allow the internal dissent to emerge once again." He profoundly added, "Obedience became a test of fellowship."[26]

Thomas Marsh was confirmed as Far West Stake president at the April 6–7 general conference, and David Patten and Brigham Young became his assistants.[27] Patten singled out fellow apostles William Smith, Luke and Lyman Johnson, and William McLellin "as being men he could not recommend to the conference."[28]

Following Seymour Brunson's filing of nine charges against Oliver Cowdery on April 7, bishop Edward Partridge supervised Cowdery's trial before the high council on April 12. The assistant church president was accused of being both dishonest and dishonorable for filing "vexatious lawsuits" against the Mormons and retaining notes that had been paid. In all, nine charges were leveled against Cowdery. Number five said that he violated binding revelations when he sold his Missouri land, and number eight said that he "degraded the Church by ~~Lieing~~ being connected in the 'Bogus' [counterfeiting] buisness [*sic*] as common report says."[29] Intriguingly, the second charge highlighted Cowdery's belief that Joseph Smith had had an illicit relationship with Fanny Alger at Kirtland. It stated, "For seeking to destroy~~ing~~ the character of President Joseph Smith jr by falsely insinuating that he was guilty of adultery &c."[30]

Cowdery did not attend his own trial, but his written response acknowledged that he wished he could have been able to meet with Joseph Smith before being formally charged. He responded to the charges with eloquent dignity that defended his spiritual and temporal rights as a freeman. He said: "I will not be influenced, governed, or controlled, in any temporal interests by any ecclesiastical authority or pretended revelations whatever, contrary to my own judgement [*sic*]." Concerning the other seven charges, he said he would "lay them carefully away, and take such a course with regard to them, as I may feel bound by my honor, to answer to my rising posterity." Cowdery respectfully requested he be allowed to withdraw from the church. Instead, his alleged faults were publicly examined and condemned.

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26. Mark A. Scherer, *The Journey of a People: The Era of Restoration, 1820 to 1844* (Independence, MO: Community of Christ Seminary Press, 2013), 292. Scherer then cited a revelation, LDS D&C 105:5–6 and RLDS D&C 102:2c–d, to explain, at least in part, some of the justification of the accusers: "Zion cannot be built up unless it is by the principles of the law of the celestial kingdom, otherwise I [God] cannot receive her unto myself; and my people must needs be chastened until they learn obedience, if it must needs be, by the things which they suffer."

27. Cannon and Cook, *Far West Record*, 158.

28. Ibid., 160.

29. Cannon and Cook, *Far West Record*, 162–63. For an examination of the nine charges, see Leland H. Gentry and Todd M. Compton, *Fire and Sword: A History of the Latter-day Saints in Northern Missouri, 1836–39* (Salt Lake City: Greg Kofford Books, 2011), 88–93.

30. Cannon and Cook, *Far West Record*, 163. Mormon historians generally maintain that Fanny Alger was Joseph Smith's first plural wife. However, Todd Compton in "Fanny Alger Smith Custer: Mormonism's First Plural Wife?," *Journal of Mormon History* 22, no. 1 (Spring 1996): 174–207 and Todd Compton, "Response to Janet Ellington," Ibid., 23, no. 2 (Fall 1997): xvii–xix, leaves open the possibility polygamy was not involved.

Trial testimony included that he was guilty of inappropriate interactions with the brethren. This included cheating and vexatious lawsuits, remaining apart from church services, and not magnifying his church responsibilities. He was called a counterfeiter. Far and away, the most lengthy and passionate condemnation concerned Cowdery's alleged statements about Joseph Smith and Fanny Alger. David Patten said that he had asked Cowdery if Smith committed adultery. Patten interpreted Cowdery's body language to "insinuate he was guilty." After giving a history about the "adultery scrape," Cowdery allegedly told Patten "that no doubt it was true." Intriguingly, Patten maintained that he was informed by Cowdery that "Joseph told him he had confessed to Emma" about the "affair." Thomas Marsh also maintained that he asked Cowdery if Joseph told Emma about the Alger affair. According to this account, Cowdery "cocked up his eye very knowingly and hesitated to answer the question, saying he did not know as he was bound to answer the question yet conveyed the idea that it was true." Smith followed with "a history respecting the girl business" but the testimony was not recorded. Partridge and his counselors discounted three of the charges but determined that the other six charges confirmed Cowdery's guilt. He was "considered no longer a member of the Church of Jesus Christ of Latter Day Saints."[31]

The day after Oliver's excommunication, Alanson Ripley filed seven charges against Lyman E. Johnson.[32] These charges maintained that Johnson "had virtually denied the faith" by associating with apostates and using vexatious lawsuits to persecute the Mormons. Like Cowdery, he was charged with remaining apart from church services and being dishonest with the members. He was charged with getting a non-Mormon named Weldon drunk and cheating him in a land transaction. Two charges related to his alleged beating and kicking of Phineas Young. Like Cowdery, he chose not to attend his trial. Instead, he responded with a short note which contained the statement that unless the charges were modified he would "withdraw my self [*sic*] from your society and fellowship." A church trial followed. Joseph Smith's testimony is representative of how Johnson was viewed by the institutional church. Smith said Johnson had "vindicated the cause of the dissenters, both in publick [*sic*] and private and spoke against the Saints while in Kirtland." Smith further accused Johnson of having stated that under no condition would he ever "sanction the proceedings of the Church and [High] Council." Moreover, Smith explained that Johnson "pretended to have" a note that Smith had given Johnson when Smith was "acting as cashier in the Kirtland bank." However Johnson had no such note.

Brigham Young accused his one-time missionary comrade of beating his brother Phineas until his head "was severely cut and blood [was] running from his ears."

31. Cannon and Cook, *Far West Record*, 165–69.

32. Concerning Lyman Johnson see, William Shepard and H. Michael Marquardt, "Lyman E. Johnson: Forgotten Apostle," *Journal of Mormon History* 26, no. 1 (Winter 2010): 93–143. **92-144**

(Johnson was evidently in the process of seeking a change of venue in some undisclosed legal activities relating to his beating of Phineas Young at or near the time of the trial.) The verdict, which was probably announced by Thomas Marsh, was: "Lyman E. Johnson no longer be considered a member of the Church of Christ of Latter-Day Saints, nor a member of the quorum of the twelve Apostles of the Lamb and also be given over to the buffetings of Satan untill [*sic*] he learns to blaspheme no more against the authorities of God."[33]

The April 13 judgment continued when five charges were leveled against David Whitmer by Alanson Ripley. The first charge was: "For not observing the word of wisdom, for unchristian-like conduct in neglecting to attend to meetings, in uniting with, and possessing the same spirit with the Dissenters, in writing letters to the Dissenters in Kirtland unfavorable to the cause and to Br Joseph Smith jr." Charge 2 was omitted; charge 3 was "For neglecting ~~his~~ the duty of his calling"; charge 4 was "For separating himself from the cause and the Church while he has a name among us;" and charge 5 was "For signing himself President of the Church of Christ in an insulting letter to the High Council."

His letter of response was brief. He questioned the legality of a council headed by apostles to try "one of the Presidents of this Church." Discounting the need for a bothersome trial, he said: "I hereby withdraw from your fellowship and communion—choosing to seek a place among the meek and humble, where the revelations of Heaven will be observed and the right of men regarded." The trial minutes matter-of-factly stated:

> After the reading of the above letter it was not considered necessary to investigate the case, as he had offered contempt to the council by writing the above letter; but let the Counsellors speak what they had to say ~~and~~ upon the case and pass decision
>
> The councellors then made a few remarks in which they spoke warmly of the contempt offered to the Council in the above letter, therefore, thought he was not worthy a membership in the Church.
>
> When Prest Marsh made a few remarks and decided that David Whitmer be no longer considered a member of the Church of Christ of Latter day Saints
>
> Council adjourned until tomorrow morning 9 o'Clock.]
>
> Closed in benediction by President Joseph Smith jr
>
> Ebenezer Robinson, Clerk.[34]

To the institutional church's chagrin, the excommunicated former Mormon leaders did not leave Far West because of their poverty, social ties and stubbornness. Shepard and Marquardt, explained in *Lost Apostles*: "The clash between the dissenters and loyalists continued after the excommunications. The critics saw them-

33. Cannon and Cook, *Far West Record*, 171–76; Gentry and Compton, *Fire and Sword*, 94–97.

34. Ibid., 176–78; 93–94.

selves as unaffiliated Mormons, rather than anti-Mormons, and continued to live in the Mormon settlements in a state of unstable rapprochement with friends in the church. The presence of so many influential critics, who watched every move the leadership made and communicated their displeasure to the non-Mormons, was a thorn in the side of church leaders, who thought they had rid themselves of these pests."[35] Leland Gentry and Todd Compton explained that the ex-Mormons "used the law to harass rather than to promote justice ... Legal and illegal suits were instituted repeatedly against those already impoverished by the financial crash of 1837. Thus, it seems unlikely that the dissenters expected to recover their losses. Rather, they apparently intended to use the law as a whip of retaliation rather than as an instrument of justice."[36] John Corrill, an ex-Mormon who served as bishop and church historian at Far West during this tumultuous period, wrote in his 1839 history after voluntarily withdrawing from the Mormons: "Notwithstanding the dissenters had left the church, yet the old strife kept up, and Smith and Rigdon, with others, complained much of the ill treatment they had received from the dissenters and others; they said they had been persecuted from time to time, with vexatious law suits; that mobs had arisen up against them, time after time; that they had been harassed to death, as it were, for seven or eight years, and they were determined to bear it no longer, for they had rather die than suffer such things."[37]

The issuance of vexatious writs against Joseph Smith and the institutional church at Far West was determined to be intolerable. Joseph Smith was alleged to have instructed Far West postmaster William Phelps and John Cleminson, a Mormon clerk in the Caldwell County Court, not to serve writs considered to be vexatious. John Whitmer testified Smith said he did not intend "in the future to have any process served on him, and the officer who attempted it should die."[38]

No one seemed willing or able to back down. It was within this volatile atmosphere that, according to Reed Peck, a former Danite at Far West, some radical Mormons thought the "enmity" generated by the ex-Mormons justified killing them. Significantly, according to Peck, Thomas Marsh and John Corrill rejected this solution.[39]

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35. Shepard and Marquardt, *Lost Apostles*, 174.

36. Gentry and Compton, *Fire and Sword*, 97.

37. John Corrill, *A Brief History of the Church of Christ of Latter Day Saints* (St. Louis: privately printed, 1839), 29. Cited in Shepard and Marquardt, *Lost Apostles*, 174.

38. Testimony before Judge Austin King at Richmond, Missouri in November 1838. See *Senate Document 189* (Washington, DC: US Government Printing Office, 1841), 15–16. Cited in Shepard and Marquardt, *Lost Apostles*, 175.

39. Reed Peck, *Reed Peck Manuscript* (Salt Lake City: Utah Lighthouse Ministry, n.d.), 6–7. The original Reed Peck manuscript, 1839, is in the Henry E. Huntington Library, San Marion, California. After Peck separated with the Mormons he was excommunicated on March 17, 1839, at Quincy, Illinois. See "Extracts of the Minutes of Conferences," *Times and Seasons* 1, no. 1 (November 1839): 15.

Sidney Rigdon's infamous "Salt Sermon"[40] delivered before a large Mormon audience on June 17 at Far West reflected the frustration felt by him and Joseph Smith about how to deal with the former Mormons. The Reed Peck Manuscript recorded:

> S. Rigdon took his text from the fifth chapter of Mat[t]hew: Ye are the salt of the Earth but if the salt have lost his savour [savor] wherewith shall it be salted, it is henceforth good for nothing but to be cast out and be trodden under foot of men. From this scripture he undertook to prove that when men embrace the gospel and afterwards lose their faith it is the duty of the Saints to trample them under their feet. He informed the people that they had a set of men among them that had dissented from the church and were doing all in their power to destroy the presidency, laying plans to take their lives &c., [and] accused them of counterfeiting lying cheating and numerous other crimes and called on the people to rise en masse and rid the country of such a nuisance. He said I is the duty of this people to trample them into the earth and if the country cannot be freed from them any other way I will assist to trample them down or to erect a gallows on the square of Far west and hang them up as they did the gamblers at Vicksburgh [in 1835] and it would be an act at which the angels would smile with approbation.

Peck said that Joseph Smith "sanctioned what had been said by Rigdon, though said he, I don't want the brethren to act unlawfully but will tell them one thing, Judas was a traitor and in stead of hanging himself was hung by Peter."[41]

John Corrill opined that the hyperbolic language was "a farce acted to frighten out those men from the country," but he was concerned enough to warn John Whitmer of potential danger. Whitmer, in turn, approached Joseph Smith and was told that he should turn his property over to the bishop and high council "to be disposed of according to the laws of the church."[42]

Rigdon's oration did not stampede the ex-Mormons. Historian Michael Quinn noted that the following day eighty-three Mormons affiliated with the Danites signed and sent a declaration, thought to be written by Sidney Rigdon, to Oliver Cowdery, Lyman Johnson, David and John Whitmer, and William Phelps, bringing about the desired expulsion.[43] It said in part:

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40. Rigdon adapted Matthew 5:13 as a model for his allegoric warning. This, in turn, was likely paired with a revelatory explanation from Joseph Smith's December 16, 1833 revelation: "When men are called unto mine everlasting gospel, and covenant with an everlasting covenant, they are accounted as the salt of the earth and the savor of men. They are called to be the savor of men; therefore, if that salt of the earth lose its savor, behold, it is thenceforth good for noting only to be cast out and trodden under the feet of men." See LDS D&C 101:39–40 and RLDS D&C 98:5k–l.

41. Peck, *Reed Peck Manuscript*, 6–7. Cited in Shepard and Marquardt, *Lost Apostles*, 176–77.

42. *Senate Document 189*, 33. According to Van Wagoner in *Sidney Rigdon*, 218, Joseph Smith told John Whitmer "that he and William Phelps would have to surrender their property in Far West, real estate they were accused of purchasing with church funds. He advised Whitmer to 'place the property in the hands of the bishop and high council to be disposed of according to the laws of the church, and things will quiet down.'"

43. Quinn, *Mormon Hierarchy: Origins of Power*, 94.

> Out of the county you shall go, and no power shall save you. And you shall have three days after you receive this communication to you, including twenty-four hours in each day, for you to depart with your families peaceably, which you may do undisturbed by any person; but in that time, if you do not depart, we will use the means in our power to cause you to depart; for go you shall.
>
> We have solemnly warned you, and that in the most determined manner, that if you did not cease that course of wanton abuse of the citizens of this county, that vengeance would overtake you sooner or later, and that when it did come it would be as furious as the mountain torrent, and as terrible as the beating tempest; but you have affected to despise our warnings, and pass them off with a sneer, or a grin, or a threat and pursued your former course; and vengeance sleepest not, neither does it slumber; and unless you heed us this time, and attend to our request, it will overtake you at an hour when you do not expect it, and at a day when you do not look for it; and for you there shall be no escape; for there is but one decree for you, which is depart, depart, or a more fatal calamity shall befall you.[44]

George Robinson, Rigdon's son-in-law, rather amusingly wrote in the Scriptory Book on July 4: "Those men took warning, and soon they were seen bounding over the prairie like the scape Goat to carry of[f] their own sins. We have not seen them since, their influence is gone, and they are in a miserable condition, so also it [is] with all who turn from the truth to Lying cheating defrauding & swindeling [*sic*]."[45]

At the time of this forced exodus, William E. McLellin had recently left the church with little publicity, and William Phelps had or would shortly make restitution in order to remain with the Mormons.[46] This meant, of course, that the "three witnesses," Luke and Lyman Johnson, John Boynton, and William McLellin were now all ex-Mormons. Additionally, the hierarchy at Kirtland had been decimated through desertion or church disciplinary action. Historian Milton V. Backman Jr. explained: "Between November 1837 and June 1838, possibly two or three hundred Kirtland Saints withdrew from the Church, representing from 10 to 15 per cent of the membership there."[47]

Thomas Marsh, the totally loyal subordinate of Joseph Smith, would be the next to fall. It is unknown when his doubt began or the nature of its specificity. We do know, however, that he was bothered by Mormon militancy. This would have included the part of Sidney Rigdon's July 4th oration that warned non-Mormon vigilantes against aggression against the northern Missouri Mormons: "we warn all men

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44. Quoted in Van Wagoner, *Sidney Rigdon*, 219. See also Shepard and Marquardt, *Lost Apostles*, 178–80.

45. Cited in Shepard and Marquardt, *Lost Apostles*, 179.

46. Ibid., 172–74 and 179 respectively.

47. Milton V. Backman Jr., *The Heavens Resound: A History of the Latter-day Saint in Ohio 1830–1838* (Salt Lake City: Deseret Book, 1983), 328. See also "Epilogue," Mark Lyman Staker, *Hearken, O Ye People: The Historical Setting for Joseph Smith's Ohio Revelations* (Salt Lake City: Greg Kofford Books, 2009), 549–58,

in the name of Jesus Christ, to come on us no more forever, for from this hour, we will bear it no more ... it shall be a war of extermination, for we will follow them, till the last drop of their blood is spilled, or else they shall have to exterminate us; for we will carry the seat of war to their own houses, and their own families, and one party or the other shall be utterly destroyed."[48] Smith lauded the speech and endorsed the message. Richard Bushman framed the mindset of Smith and Rigdon in the context of living in a frontier society in which violence was simply a way of life. The Mormons, according to Bushman, remembering their expulsions from Jackson County, Missouri, and Kirtland, were on high alert as anti-Mormon encroachment increased.[49] Rigdon's speech was praised in the *Elders' Journal*, a periodical that was edited by Joseph Smith and published by Thomas Marsh:

> The oration delivered on this occasion, is now published in pamphlet form: those of our friends wishing to have one, can get it, by calling on Ebenezer Robinson, by whom they were printed. We would recommend to all the saints to get one, to be had in their families, as it contains an outline**of** the suffering and persecutions of the Church from its rise. As also the fixed determinations of the saints, in relation to the persecutors, who are, and have been, continually, not only threatening us with mobs, but factually have been putting their threats into execution; which we are absolutely determined no longer to bear, come life or come death, for to be mobbed any more without taking vengeance, we will not.[50]

In this uncertain atmosphere the quorum of apostles was reorganized. William McLellin, Luke and Lyman Johnson, and John Boynton were replaced by John Taylor, Wilford Woodruff, John E. Page, and Willard Richards.[51] In a revelation canonized as LDS D&C 118 under date of July 8, 1838, Thomas Marsh was informed that his desire to lead quorum members on a foreign mission would become a reality. The mission would commence on April 26, 1839, "from the building spot of my [God's] house" at Far West. But instead of Marsh leading the quorum triumphantly to England as planned, he would by that time be a hated ex-Mormon.

Reasons for Marsh's rejection of Mormonism are not totally understood. His fall has been attributed to his supporting his wife Elizabeth in a dispute with Lucinda Harris over milk strippings.[52] While there may be truth in the assumption, Marsh more probably left Mormonism because of the Mormon militancy that had been previewed in Rigdon's July 4th oration. His advice to recently ordained elders at the

48. This portion of the Oration was cited in Peter Crawley in *A Descriptive Bibliography of the Mormon Church—Volume One 1830–1847* (Provo, UT: Religious Studies Center, 1997), 80.

49. Bushman, *Joseph Smith: Rough Stone Rolling*, 354–55.

50. "The Oration Delivered," *Elders' Journal* 1, no. 4 (August 1838): 54.

51. See Thomas B. Marsh to Wilford Woodruff, July 14, 1838, in Kenney, *Wilford Woodruff Journals*, 1:276–77.

52. This is discussed in Shepard and Marquardt, *Lost Apostles*, 182–83.

October 6, 1838, general conference had expressed the need for tolerance, calmness, and peace. The Kirtland Council Minute Book paraphrases his instructions to elders preparing to leave on missions. He advised them not to go "forth boasting of their faith, or of the judgments of the Lord; but to go in the Spirit of meekness and preach repentance unto the children of men." This tolerant advice was diametrically different from that being presented by his superiors in the church presidency.[53]

The cultural clash between the Mormons and the Missourians known as the "Mormon War" is beyond the scope of this short paper.[54] Suffice it to say that as Mormons and non- Mormons became more intransigent, Marsh's enthusiasm began to wane. It must have been painful for him to tolerate the scorn heaped upon a new class of dissenters who were uncomfortable with the warlike hysteria gripping the Far West community. While organizing military companies to go to the aid of Mormons in Daviess County, Sidney Rigdon and Joseph Smith addressed the assembled Mormons at Far West on October 15. According to Reed Peck, the Mormon men were "armed for war and burning to execute vengeance," on the Missourians. The threat was very real as hundreds of vigilantes who besieged and exiled the Mormons from De Witt in Carroll County prepared to do the same in Daviess County. Smith is said to have reviewed the "vexations" the church had received and rhetorically asked "who is so big a fool as to cry [to] the law," and, answering his own question, said: "We will take our affairs into our own hands and manage for ourselves. We have applied to the Gov. and he will do nothing for us, the militia of the county we have tried and they will do nothing, all are mob the Governor is mob the militia are mob and the whole State is mob. After saying "we will not give another foot," he said God would send protecting angels even if the odds were overwhelming.[55]

Sidney Rigdon next addressed the crowd in a manner intended to intimidate those Mormons who were morally opposed to violence. The corresponding section in the *Lost Apostles* explained:

> Rigdon went further and denounced pacifists, whom he called the "O don't[s]," parodying their arguments with "O don't! O don't! you are breaking the law you are bringing ruin on the Society." They were timid men who were good at "finding fault" as long as they were at home, out of harm's way, but created divisions in society and did nothing to protect themselves or others. If they refused to willingly participate in the

53. Cannon and Cook, *Far West Record*, 210.

54. This conflict is outlined in Shepard and Marquardt, *Lost* Apostles, 163–96. Among many historical accounts, see Stephen C. LeSueur, *The 1838 Mormon War in Missouri* (Columbia: University of Missouri Press, 1987); Gentry and Compton, *Fire and Sword;* and Alexander L. Baugh, "A Call to Arms: The 1838 Mormon Defense of Northern Missouri" (PhD diss., Brigham Young University, 1966).

55. Peck, *Reed Peck Manuscript*, 18

> Daviess County relief effort, said, they should have their "blood spilled" or "be pitched on their horses with bayonets and placed in the front of battle.[56]

Marsh reluctantly agreed to accompany Mormon forces to Daviess County and witnessed some of the actions associated with the Mormon sacking of Gallatin and Millport on October 18. The sight of burning homes and the confiscation of livestock and personal property disgusted him to the point that he determined that Joseph Smith could not be inspired of God, and Mormonism could not be a true religion. After making excuses, he returned to Far West and consulted with Orson Hyde about what he had witnessed. That evening, October 19, they packed what they could and slipped out of Far West with their families.[57] Three days later at Richmond, Missouri, he vented his feelings in a deposition that pictured the prophet and his followers in the worst possible light. Orson Hyde, who was ill with a high fever, said the affidavit was either true or that he believed it to be true.[58]

At a conference at Quincy, Illinois on March 17, 1839, Thomas Marsh, John Corrill, and Reed Peck would be excommunicated.[59]

In summary, the conflict, confusion, and tragedy charted in this short article had its antecedents in Ohio when Joseph Smith's unchartered banking institution failed. The financial losses of the Mormons, combined with spiritual concerns, set the stage for disunion in and expulsion from Kirtland. Far West became a battleground between those who saw Joseph Smith as a fallen or false prophet and the great majority of Mormons who believed he was God's spokesman. The latter group concluded that dissent could not be tolerated; the former resisted what they perceived to be persecution. Strangely, inappropriate actions by individuals on both sides made it impossible for targeted ex-Mormons to remain at Far West. Many have blamed Joseph Smith for creating the chaos that resulted in Mormon mainstays being excommunicated at Kirtland and Far West. Many others blamed the lack of peace and security at these major Mormon settlements on apostate Mormons and hated non-Mormons.

Postscript

In a larger sense, Mike Marquardt and I attempted, in *Lost Apostles: Forgotten Members of Mormonism's Original Quorum of Twelve*, to break down myths about the twelve men in Mormonism's first Quorum of Twelve Apostles. Of necessity, the project swept men like Oliver Cowdery, David and John Whitmer, Martin Harris, William Phelps, and John Johnson Sr. into the net.

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56. Shepard and Marquardt, *Lost Apostles*, 186.

57. Ibid., 188–89.

58. See attachment A.

59. "Extracts of the Minutes of Conferences," *Times and Seasons* 1, no. 1 (November 1839): 15.

It was surprising to us that many readers of *Lost Apostles* came to hold apostle Thomas Marsh in special esteem, presumably as a sympathetic reaction to Marsh for his contemptible treatment by Brigham Young and others in Utah in 1857 following his return to the church.[60] But it is also worth noting that Marsh's affidavit against Joseph Smith and his followers did much to bring about the expulsion of the Mormons from Missouri.[61] In this context, Marsh was seen as an enemy who had caused enormous damage to the Mormons, and as Mormons generally did not acknowledge their own role in the northern Missouri conflict, it is a wonder he was tolerated at all.

Marsh was dissenting against Mormon militancy when he made his deposition. Ironically, he did so after punishing former fellow members for the crime of dissenting. This dichotomy is representative of the complexity of determining when such luminaries as Thomas Marsh, Oliver Cowdery, and William Phelps were perceived as heroes or when as villains.

The legacy left by Marsh was nothing like the faith-enhancing role of the "three witnesses" to the Book of Mormon. In contrast, his legacy was his October 17, 1838, affidavit at Richmond, Missouri, which became a weapon in the hands of anti-Mormons to punish the Latter Day Saints[62]

William (Bill) Shepard is a long-time member of the John Whitmer Historical Association and is past president for 2008–09. With H. Michael Marquardt, he has written *Lost Apostles: Forgotten Members of Mormonism's Original Quorum of Twelve*, which was published by Signature Books in 2014.

60. See Shepard and Marquardt, *Lost Apostles*, 294–303.

61. See LeSueur, *The 1838 Mormon War in Missouri*, 136–37, for his evaluation of the damage caused by Marsh's deposition.

62. His affidavit, whole or in–part, has been widely cited in anti–Mormon publications for over 160 years. See, for example, the publication of the affidavit by Thomas Sharp, one of the accused murderers of Joseph and Hyrum Smith, under the heading: "Affidavit of Thomas B. Marsh," in the *Warsaw Signal* New Series—No. 24 (July 31, 1845): 4. Numerous citations of the deposition are easily found on the internet.

Attachment A

Affidavit of Thomas B. March [Marsh].[63]

At the request of a committee of the citizens of Ray county, I make the following statement in relation to the recent movements, plans, and intentions of the Mormons in the counties of Caldwell and Daviess:

Shortly after the settlement of the difficulties at De Witt, in Carroll county, a call was made by the Mormons at Far West, in Caldwell county, for volunteers to go to Daviess county to disperse the mob, as they said. On the day before this, Joseph Smith, the prophet, had preached, in which he said, that all the Mormons who refused to take up arms, if necessary in difficulties with the citizens, should be shot or otherwise put to death; and as I was there with my family, I thought it most prudent to go, and did go with my wagon as the driver. We marched to Adam.-on-diahmon, and found no troops or mob in Daviess county. Scouting parties frequently went out and brought in intelligence that they had seen from three to five hundred men. We got to 'Diahmon on Tuesday evening, and on the next day a company of about eighty of the Mormons, commanded by a man fictitiously named Capt. Fearnaught, marched to Gallatin. They returned and said they had run off from Gallatin twenty or thirty men, and had taken Gallatin—had taken one prisoner, and another had joined the company. I afterwards learned from the Mormons that they had burnt Gallatin, and that it was done by the aforesaid company that marched there. The Mormons informed me that the\ had hauled away all the goods from the store in Gallatin, and deposited them at the Bishop's store houses at 'Diahmon. On the same day, Lyman Wight marched about eighty horsemen for Mill Port. He returned before night and called for Joseph Smith and Hiram Smith. to report to them (said Hiram being counsellor of said Joseph, the prophet) and said Wight reported that he had been in sight of Mill Port—saw no one to fight— but that the people generally had gone and left their houses and property. The prophet, on hearing the property was left. commenced a reply. and said: "we had better see to it." when Wight stopped him by saying "never mind, we will have a private council," and Smith replied "very well." The private council I did not hear. The men were determined to go to their camps. The same evening a number of footmen came up from the direction of Mill Port laden with property which I was informed consisted of beds, clocks and other household furniture. The same night I think about three wagons were despatched for about forty bee

63. Missouri General Assembly, *Document Containing the Correspondence, Orders, &c. in Relation to the Disturbances with the Mormons; and the Evidence Given before the Hon. Austin A. King, Judge of the Fifth Judicial Circuit of the State of Missouri, at the Court-House in Richmond, in a Criminal Court of Inquiry, begun November 12, 1838, on the trial of Joseph Smith, Jr., and others, for High Treason and Other Crimes Against the State* (Fayette, MO: Printed at the office of the *Boon's Lick Democrat*, 1841), 57–59.

gums, and the next day I saw several gums, when they were splitting them up and taking the honey and burning the gums, in which business of taking out the honey, but few were, engaged, for fear as they said, they would be called on as witnesses against them. When Wight returned from Mill Port and informed Smith that the people were gone and the properly left, Smith asked him if they had left any of the negroes for them, and Wight replied, no; upon which some one laughed, and said to Smith "you have lost your negro then." During the same time, a company, called the Fur Company, were sent out to bring in fat hogs and cattle, calling the hogs, bears, and the cattle buffaloes. They brought in at one time seven cattle and at another time four or five belonging to the people of Daviess. Hogs were brought in dead, but I know not how many. I saw onlv two. They have among them a company consisting of all that are considered true Mormons, called the Danites, who have taken an oath to support the heads of the church in all things that they say or do, whether right or wrong: many however of this band are much dissatisfied with this oath, as being against moral and religious principles. On Saturday last, I am informed by the Mormons that they had a meeting at Far West, at which they appointed a company of twelve, by the name of the Destruction Company, for the purpose of burning and destroying; and that if the people of Buncombe came to do mischief upon the people of Caldwell, and committed depredations upon the Mormons, they were to burn Buncombe, and if the people of Clav and Ray made any movements against them, this destroying company were to burn Liberty and Richmond. This burning was to be done secretly, by going as incendiaries. At the same meeting, I was informed, they passed a decree that no Mormon dissenter should leave Caldwell county alive; and that such as attempted to do it, should be shot down, and sent to tell their fate in eternity. In a conversation between Dr. Avard and other Mormons, said Avard proposed to start a pestilence anion, the Gentiles, as he called them, by poisoning their corn, fruit &c, and saying it was the work of the Lord; and said Avard advocated lying for the support of their religion, and said it was no harm to lie for the Lord. The plan of said Smith, the prophet, is to take this State, and he professes to be his people to intend taking the United States, and ultimately the whole world. This is the belief of the church, and my own opinion that neither said Joseph Smith, the prophet, nor any one of the principal men, who is firm in the faith, could he indicted for any offence in the county of Caldwell. The prophet inculcates the notion, and it is believed by every true Mormon, that Smith's prophecies are superior to the law of the land. I have heard the prophet say that he should yet tread down his enemies, and walk over their dead bodies; that if he was not let alone he would be a second Mahomet to this generation, and that he would make it one gore of blood from the Rocky Mountains to the Atlantic Ocean; that like Mahomet, whose motto, in treating for peace, was "the Alcoran, or the Sword," so should it be eventually with us, "Joseph Smith or the

Sword." These last statements were made during the last summer. The number of armed men at Adam-on-diahmon was between three and four hundred.

THOMAS B. MARCH [MARSH].

Sworn to and subscribed before me the day herein written.

HENRY JACOBS, J. P. Ray county Mo.
Richmond Mo. Oct. 24, 1838.

Affidavit of Orson Hyde.

The most of the statement in the foregoing disclosure of Thomas B. March [Marsh], I know to be true, the remainder I believe to be true.

ORSON HYDE.
Richmond, Oct. 24, 1838.

Sworn to and subscribed before me on the day above written.

HENRY JACOBS J. P.